

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCO ANTONIO NEGRETE-SAENZ,

Defendant.

CASE NO. 1:02-CR-05408 - AWI - 1

ORDER DENYING DEFENDANT'S SECOND
MOTION PURSUANT TO TITLE 18 U.S.C.
§ 3582(c)(2)

(Doc. 421)

The defendant has filed a second motion under 18 U.S.C. § 3582(c)(2), seeking a reduction in his sentence on the basis of Amendment 782 to the Sentencing Guidelines which revises the Drug Quantity Table in USSG § 2D1.1 and reduces by two levels the offense level applicable to many drug trafficking offenses. The Government has opposed the motion on the basis that the defendant remains ineligible for a reduction under U.S.S.G. § 1B1.10. The Court denied Defendant's previous motion on that basis. It explained that the quantity of methamphetamine involved in the transaction, approximately 15.5 kilograms, is not a drug quantity that falls into a lower sentencing level bracket by operation of Amendment 782. Nothing has changed. Defendant remains ineligible for a sentence reduction. Accordingly, Defendant's motion pursuant to Section 3582 is DENIED.

IT IS SO ORDERED.

Dated: December 6, 2017



SENIOR DISTRICT JUDGE